THE HON'BLE SRI JUSTICE GODA RAGHURAM

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WRIT PETITION NO.9613 of 2006

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Date: 02-05-2006

Between:

Imtiaz and others

…Petitioners

a n d

The Joint Collector,

Anantapur District,

Anantapur and others

…Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO.9613 of 2006

ORDER:

Petitioners' application for regularization of their encroachment in the lands of the

fourth respondent Gram Panchayat having been rejected by the Mandal Revenue Officer by the proceedings dated 27.12.2005 and by the second respondent appellate authority by the order dated 14.04.2006, the petitioners preferred an appeal to the first respondent on 27.04.2006. Learned counsel for the petitioners Sri R.V.Subbarao asserts this fact at the admission hearing of this writ petition. Petitioners grievance is that they are in occupation of several extents of land admittedly belonging to the fourth respondent since 40 years who are now likely to be evicted even before the first respondent disposes of either the appeal or the application for interim relief in the appeal.

In view of the assertion and if the petitioners have filed an appeal as stated, on 27.04.2006 to the first respondent, second respondent shall refrain from evicting the petitioners from the lands they are in possession of pending disposal of the appeal or the application for the interim relief by the first respondent.

The petitioners are entitled to continue in possession of the lands till the orders to be passed by the first respondent either in appeal or in the application for the interim relief.

With the observations and directions thereof, the writ petition is disposed of after hearing the learned Government Pleader for Revenue. No costs.

(GODA RAGHURAM, J)

Date: 02-05-2006

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Note: Office to issue C.C. as soon as possible.

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